

**REMARKS**

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 8-11 and 15-18, 35- 44 and 46-47, the only claims pending and currently under examination in this application.

Claims 8 and 46 have been amended to recite that the host has a condition associated with unwanted angiogenesis, support for this amendment being found in the specification in paragraph 34. Claims 15 and 47 have been amended to recite that host has a neoplastic condition, support for this amendment also being found in paragraph 34. Claims 36 and 41 have been amended to correct a typographical error. As the above amendments introduce no new matter to the application, their entry by the Examiner is respectfully requested.

Claims 8-11, 31, 36-39 and 41 have been rejected under 35 U.S.C. § 112, second paragraph for a number of issues. It is believed that this rejection may be withdrawn in view of the above amendments.

Claims 8-11, 15-18, 35, 37-40 and 42-47 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Jiang.

Jiang discloses an experiment in which the effect of FK506 on skin papilloma tumor formation in CD-1 mice was examined. The authors found that topical FK506 application 15 minutes **prior to TPA** treatment resulted in a dose-related inhibition of tumor formation. As such, Jiang discloses that local topical administration of FK506 to mice somehow inhibits tumor formation in this well-known two-stage mouse model of cancer.

As amended, Claims 8-11, 15-18, 35, 37-40, 42-44 and 46-47 are limited to methods in which the agent is administered to the host having a condition associated with unwanted angiogenesis. There is no teaching or suggestion of this element in the disclosure of Jiang.

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Accordingly, Claims 8-11, 15-18, 35, 37-40, 42-44 and 46-47 are not anticipated under 35 U.S.C. § 102(b) by Jiang and this rejection may be withdrawn.

Claims 1-4, 30-34 and 45 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Flanagan. Solely in order to expedite allowance of the present application, these claims have been cancelled. The cancellation of these claims should in no way be construed as an agreement by the Applicants with the position of the Patent Office. In view of the cancellation of these claims, this rejection may be withdrawn.

Finally, Claims 36-44 have been rejected under 35 U.S.C. § 103(a) as obvious over Jiang in view of Flanagan, for the asserted reason that in view of the asserted interchangeability of FK506, rapamycin and cyclosporin as evidenced by Flanagan, these claims are obvious over the teaching of the Jiang.

However, the claims include amendments not taught or suggested in the combined teaching of the references. For example, Jiang fails to teach or suggest administering an agent to a host having a condition of unwanted angiogenesis for the purpose of inhibiting angiogenesis in the host. Furthermore, Jiang fails to teach or suggest administering an agent to a host having neoplastic condition. Jiang fails to teach or suggest these elements because Jiang treats healthy mice with FK506 prior to an attempted chemical induction of tumor formation. Jiang neither teaches nor suggests anything about the effect of the agents on angiogenesis or tumor formation in a host known to already have a neoplastic disease. Accordingly, Jiang fails to teach or suggest these elements.

Therefore, Claims 36-44 are not obvious under 35 U.S.C. § 103(a) over Jiang in view of Flanagan and this rejection may be withdrawn.

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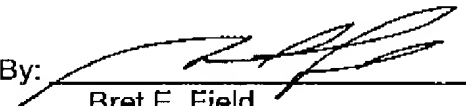
**CONCLUSION**

In view of the above remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issue.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,  
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